

# **EXHIBIT 5**

<b>Global Controlled Substance Compliance Procedure</b>	<b>No. C/S Comp 2.0</b>
<b>Subject:</b> New Customer Account Set-up and Existing Customer Account Ongoing Review Controlled Substance Suspicious Order Monitoring Program  <b>Originator:</b> Karen Harper Manager, Controlled Substance Compliance	<b>Revision Date:</b> <b>07/01/09</b>  Page 1 of 5

**PURPOSE:**

This procedure formally outlines the internal criteria and standards to identify, capture, investigate, report suspicious customer accounts to the Drug Enforcement Administration (DEA).

This procedure outlines the process for monitoring new controlled substance customer accounts and ongoing review of existing controlled substance customer accounts

**APPLIES TO:**

Controlled Substances Customer Service Groups

Field Sales

Customer Data Integrity Group

Credit Department

Corporate Product Monitoring

Controlled Substance Compliance

Security Director

**REFERENCES:**

- Title 21 CFR 1301.74(b)

This section defines the following obligations of a registrant. The registrant shall design and operate a system to disclose to the registrant suspicious orders of controlled substances. The registrant shall inform the Field Division Office of the Administration in his area of suspicious orders when discovered by the registrant. Suspicious orders include orders of unusual size, orders deviating substantially from a normal pattern, and orders of unusual frequency

C/S Comp 2.0	New Customer Account Set-Up and Existing Customer Account Ongoing Review Controlled Substance Suspicious Order Monitoring Program	2 of 5
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**OVERVIEW:**

The Drug Enforcement Administration (DEA) requires that registrants take reasonable measures to identify their customers, understand the normal and expected transactions typically conducted by those customers, and, consequently identify those transactions that are suspicious in nature.

The Procedure for New Account Set-up and Existing Account Ongoing Review, Controlled Substance Suspicious Order Monitoring Program, is designed for compliance by documenting methods used to:

Review prospective new customers [per CFR21 1301.74(b)] for authorization to proceed with account set-up for shipment of controlled substance orders

Review existing customers [per CFR21 1301.74(b)] for authorization to proceed with ongoing shipment of controlled substance orders

**REPORTS REQUIRED**

- Customer Checklist
- Do Not Ship List
- Corporate Product Monitoring Monthly Report

**RESPONSIBILITIES:**Field Sales, Customer Service or Customer Data Integrity Group (CDIG)

1. Provides Customer Checklist to new customers during account set-up
2. Reports incomplete or unacceptable Customer Checklist responses to Controlled Substance Compliance and Security for further investigation

Customer Data Integrity Group

1. Provides Customer Checklist to existing customers forty-five days in advance of the month in which customer's DEA registration license expires
2. Reviews Customer Checklist information submitted by new or existing customers based upon answers sheet provided by Security and Controlled Substance Compliance
3. Refer Customer Checklist(s) that deviate from the answer sheet to Customer Service Manager

C/S Comp 2.0	New Customer Account Set-Up and Existing Customer Account Ongoing Review Controlled Substance Suspicious Order Monitoring Program	4 of 5
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1. Investigate Customer Checklist deviations that have not been resolved by Customer Service Manager, in conjunction with Controlled Substance Compliance
2. Consults with the business group as part of the Customer Account investigation, in conjunction with Controlled Substance Compliance.
3. Investigate unfavorable customer credit information forwarded by Customer Service Manager, in conjunction with Controlled Substance Compliance.
4. Advise CDIG and/or Credit Department if the investigation conclusion favorable so customer account set-up can proceed , in conjunction with Controlled Substance Compliance.
5. Investigates pattern incidents identified by Corporate Product Monitoring Group Monthly, in conjunction with Security Director.
6. Responsible for reporting customers that have been denied account set-up or whose existing account has been disabled and not re-instated to DEA, in conjunction with Controlled Substance Compliance.
7. Responsible for training internal customers on this procedure, in conjunction with Controlled Substance Compliance.

#### Controlled Substance Compliance

1. Investigate Customer Checklist deviations that have not been resolved by Customer Service Manager, in conjunction with Security Director
2. Consults with the business group as part of the Customer Account investigation, in conjunction with Security Director
3. Investigate unfavorable customer credit information forwarded by Credit Department, in conjunction with Security Director.
4. Advise CDIG and/or Credit Department if the investigation conclusion is favorable so customer account set-up can proceed , in conjunction with Security Director
5. Responsible for reporting customers that have been denied account set-up or whose existing account has been disabled and not re-instated to DEA, in conjunction with Security Director
6. Monitors daily Federal Register Notices for DEA registrant license suspension and revocation and forwards information to Customer Service for inclusion in the Do Not Ship List



C/S Comp 2.0	New Customer Account Set-Up and Existing Customer Account Ongoing Review Controlled Substance Suspicious Order Monitoring Program	3 of 5
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4. Search existing customer database for customer license that have been suspended or revoked by Federal Register notice based upon information forwarded by Controlled Substance Compliance
5. Deactivate any existing customer accounts that are under investigation related to response to Customer Checklist or whose DEA license has been suspended or revoked by Federal Register notice
6. Obtains copy of current DEA registration license from new and existing customers
7. Files customer DEA registration license and Customer Checklist

#### Credit Department

1. Determines credit worthiness and establishes credit line for new accounts
  - a. Performs Dun and Bradstreet review of other financial information and credit references.
2. Conducts credit reviews for existing accounts including a review of liens, lawsuits, and historical information
3. Refer unsatisfactory credit report information to Customer Service Manager
4. Deactivate any existing customer accounts that are under investigation related to credit review information

#### Customer Service Manager

1. Review Customer Checklist(s) that deviate from required responses that have been forwarded by CDIG
2. Maintains the Do Not Ship List on the Shared drive by updating for any customer for which shipment has been denied or cancelled based on suspicious order criteria.
3. Investigate the reasons that Customer Checklist or credit information deviates from required responses and annotate Customer Checklist with reason if no further investigation is needed.
4. Forward to Security and Controlled Substance Compliance any Customer Checklist or credit report deviations that have not been resolved and require further investigation

#### Security Director

C/S Comp 2.0	New Customer Account Set-Up and Existing Customer Account Ongoing Review Controlled Substance Suspicious Order Monitoring Program	5 of 5
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7. Monitors Corporate Product Monitoring Group Monthly Report for detection of “shortage of bottles within case” pattern by customer or by geographic area
8. Investigates pattern incidents identified by Corporate Product Monitoring Group Monthly, in conjunction with Security Director.
9. Responsible for training internal customers on this procedure, in conjunction with Security Director